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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

AQUA ILLINOIS, INC. ) DOCKET NO.  
 ) 11-0436  
 )  
Proposed general increase in water ) ON REHEARING  
and sewer rates. (Tariffs filed )  
April 6, 2011) )

Springfield, Illinois  
Thursday, April 19, 2012

Met, pursuant to notice, at 11:00 a.m.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MR. JOHN E. ROONEY  
ROONEY RIPPKE & RATNASWAMY LLP  
350 West Hubbard Street, Suite 430  
Chicago, Illinois 60654  
Ph. (312) 447-2801

(Appearing on behalf of Aqua  
Illinois, Inc., via  
teleconference)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
CSR #084-002710



1		<u>I N D E X</u>			
2					
3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	(None)				
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10		<u>EXHIBITS</u>			
11				<u>MARKED</u>	<u>ADMITTED</u>
12	(None)				
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1 JUDGE JONES: Thank you. Mr. Robertson?

2 MR. ROBERTSON: Ryan Robertson on behalf of

3 Viscofan USA.

4 JUDGE JONES: Thank you. Are there any other

5 appearances?

6 (No response.)

7 Let the record show there are not, at

8 least at this time.

9 I guess first off I will ask whether

10 there are any agreed-to scheduling proposals to be

11 put forward at this time.

12 MR. ROBERTSON: Your Honor, we have passed

13 around a couple versions of a schedule, and I think

14 we are almost there where we can all agree. But I

15 would ask for a couple minutes, if we could discuss,

16 iron out the few kinks and then present it to you.

17 MS. SATTER: Right. This is Susan Satter. It

18 seems that we still have a few details to work out,

19 given the short time frame that we are operating

20 under.

21 JUDGE JONES: All right. Thank you. At this

22 time then let the record show we hereby go off the

1 record to provide counsel for the respective parties  
2 an opportunity to discuss scheduling and related  
3 matters among themselves.

4 (Whereupon there was then had an  
5 off-the-record discussion.)

6 JUDGE JONES: Back on the record.

7 Let the record show there was an  
8 off-the-record discussion for the purposes indicated.

9 I believe the parties are ready to  
10 propose some scheduling which will include, among  
11 other things, a hearing date. So would someone  
12 kindly read into the record what you believe to be an  
13 agreed-to schedule, if there is one?

14 MR. ROBERTSON: I will do that, Your Honor.

15 We have May 4 Viscofan would file its  
16 direct testimony.

17 May 25 everyone would have an  
18 opportunity for rebuttal.

19 June 8 everyone would have an  
20 opportunity for surrebuttal.

21 June 12 would be the hearing date.

22 June 22 would be initial briefs.

1                   July 2 would be reply briefs.

2                   And then I guess July 20 would be a

3 Proposed Order.

4                   And then we hadn't set a date for

5 Briefs on Exceptions. We based that off when you

6 issued the Proposed Order, and then a week or ten

7 days after that, file Briefs on Exceptions. And we

8 were all going to waive Reply Briefs on Exceptions.

9           JUDGE JONES: That first testimony date is May

10 4, is that right?

11           MR. ROBERTSON: Yes, Your Honor.

12           JUDGE JONES: And what was that next date

13 again?

14           MR. ROBERTSON: May 25.

15           JUDGE JONES: And that's for all other parties?

16 Is that the intent?

17           MR. ROBERTSON: Yes.

18           JUDGE JONES: And then June 8 is for all

19 parties to respond to each other?

20           MR. ROBERTSON: Yes, Your Honor.

21           JUDGE JONES: Okay. Thank you. Does anyone

22 else have any clarifications with regard to the

1 schedule that Mr. Robertson read into the record?

2 MR. ROONEY: No, Your Honor.

3 MS. SATTER: This is Susan Satter. We did talk  
4 about a ten-day turnaround on discovery. I am hoping  
5 that's ten calendar days.

6 MR. ROBERTSON: Correct.

7 MS. CARDONI: Judge, did you want to select a  
8 time for the evidentiary hearing on the 12th?

9 JUDGE JONES: We can do that. Is 10:00 a.m. a  
10 time that's acceptable for everybody?

11 MS. CARDONI: That's acceptable to Staff.

12 MR. ROONEY: I believe it is okay with Aqua as  
13 well, Judge.

14 JUDGE JONES: All right. Thank you. Does  
15 anyone have a problem with 10:00 a.m.?

16 MS. SATTER: We have none.

17 JUDGE JONES: Let the record show there are no  
18 objections to 10:00 a.m. as a start time, so the  
19 start time on June 12 will be set at 10:00 a.m.

20 All right. The schedule read into the  
21 record is adopted for purposes of this rehearing with  
22 clarifications noted above. With the following



1 notations the scheduling dates are fixed through the  
2 filing of Initial Briefs and Reply Briefs.

3 Let me ask one thing about the  
4 post-Proposed Order scheduling. The intent there is  
5 that BOEs be filed and no RBOEs, is that right?

6 MR. ROBERTSON: Correct.

7 JUDGE JONES: If there is any change either  
8 direction in the Proposed Order date that was read  
9 into the record, parties will still be given at least  
10 12 days, 12 calendar days, for the filing of BOEs.  
11 Was that the intent of the parties?

12 MR. ROBERTSON: Correct.

13 JUDGE JONES: Okay, thank you. Is there  
14 anything else then with respect to the scheduling or  
15 any related considerations?

16 MS. SATTER: This is Susan Satter. For the  
17 record I just wanted to state that I have had  
18 discussions with the parties about the possibility  
19 that the People's witness, Mr. Rubin, may not be  
20 available to travel on June 12. And if there is  
21 cross examination for him, I request that he be  
22 allowed to appear by telephone. And nobody objected

1 to that request. I just wanted that to be on the  
2 record.

3 JUDGE JONES: Okay, thank you. Does anyone  
4 have any objection to that request?

5 MR. ROONEY: None from Aqua.

6 JUDGE JONES: Let the record show there are no  
7 objections. Under the circumstances and given no  
8 objection, that will be permitted if deemed necessary  
9 by Ms. Satter.

10 Anything else with regard to that?

11 (No response.)

12 Let the record show there is not.

13 Are there any other matters then to  
14 take up at this status hearing before we conclude it  
15 and continue the matter to the hearing date?

16 (No response.)

17 All right. Let the record show there  
18 are not.

19 Our thanks to the parties for putting  
20 together an agreed-to schedule in a compressed time  
21 frame.

22 Let the record show that today's

1 status hearing is over. Our thanks to Mr. Rooney for  
2 setting up a call-in number. In accordance with the  
3 above, this matter is continued to the hearing date  
4 of June 12, 2012, at the hour of 10:00 a.m.

5 (Whereupon the hearing in this  
6 matter was continued until June  
7 12, 2012, at 10:00 a.m. in  
8 Springfield, Illinois.)

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